

COUNTY OF LOUDOUN

DEPARTMENT OF BUILDING AND DEVELOPMENT

ZONING ADMINISTRATION REFERRAL

DATE: December 4, 2007

TO: Mike Elabarger, Project Manager, Planning

FROM: Claire Gron, Planner, Zoning Administration

THROUGH: Mark Stultz, Deputy Zoning Administrator

CASE NUMBER AND NAME: ZCPA-2007-0005 Loudoun Valley Estates II
1st Submission

TAX MAP / PARCEL NUMBER: /92////////18/ 123-36-7324 /92////////20/ 122-26-3229
/92////////19/ 123-46-9478 /92////////23/ 122-46-6311

I. APPLICATION SUMMARY

Loudoun Valley Associates, L.P. ("the Applicant") requests a Zoning Concept Plan Amendment to amend the Conceptual Development Plan and Proffer Statement proffered with the approval of Zoning Map Amendment (ZMAP) 2002-0011, as amended by ZCPA-2006-0007, for the un-subdivided portions of Loudoun Valley Estates II.

The Applicant indicates that the purpose of the ZCPA is as follows: 1) consistency with the current alignments for Loudoun County Parkway and Creighton Road; 2) consistency with the floodplain limits as defined by an approved floodplain alteration study; 3) to amend the configuration of the Land Bay 4R and adjacent Land Bay 3b; 4) to eliminate a proffered interparcel road connection between Land Bay 5 and Brambleton; and 5) to propose an additional entrance to Land Bay 5. The Applicant is also requesting a zoning modification to Section 7-903(C)(1)(c), *Yards, Single family attached*, in the R-16 (ADU) district for Land Bays 3 and 4.

The subject property is zoned Planned Development – Housing 4 (PD-H4), under the Revised 1993 Loudoun County Zoning Ordinance. Portions of parcel LCTM# /92////////18/ (MCPI# 123-36-7324) lie within the limits of the Airport Impact Overlay District (AI) (Ldn60 1-mile buffer). Portions of all four subject parcels lie within the limits of the Floodplain Overlay District (FOD) (Major and Minor Floodplain).

Staff notes that additional changes have been made to the Zoning Concept Plan Amendment Plats that were not identified by the Applicant, and requests that the Applicant revise the Statement of Justification to identify all changes proposed with this ZCPA.

The following materials were reviewed for the purpose of this referral:

- A. Memorandum and Information Sheet, dated November 5, 2007.
- B. Zoning Concept Plan Amendment Statement of Justification.
- C. Proffer Statement, dated October 5, 2007.
- D. Zoning Concept Plan Amendment Plats, dated June 22, 2007.

A-001

II. ZONING CONCEPT PLAN AMENDMENT APPLICATION ISSUES:

A. Conformance with the Revised 1993 Loudoun County Zoning Ordinance

1. **Section 4-1400.** Revise Note #3 on Sheet 2 to specify that portions of the property lie within the Ldn60 1-mile buffer noise contour.
2. **Section 4-1500.** Revise Note #7 on Sheet 2 to indicate that portions of the property lie within the limits of the Floodplain Overlay District (FOD), and contain areas of both Major and Minor Floodplain.
3. **Section 5-1000.** Illustrate the Scenic Creek Valley Buffer setbacks on the plans in locations where the major floodplain is less than the setbacks detailed in §5-1002.
4. **Section 5-1200.** Revise Note #20 on Sheet 2 to indicate that signage shall comply with §5-1200 generally, not §5-1202(E). In addition, note that signage is subject to ZMOD-2006-0011, Loudoun Valley Villages Sign Plan, approved April 10, 2007.

B. Plat Comments

1. Clarify the limits of the ZCPA. It appears as if the subject parcels were subdivided subsequent to the preparation of the ZCPA. Therefore, the parcel boundaries illustrated throughout the plans are not consistent with County records. Revise the plans to illustrate the current parcel boundaries, or clarify if additional parcels are subject to this application.
2. Revise Note #2 on Sheet 2, which states that "part" of the subject parcels are subject to this ZCPA. County records indicate that the entirety of the subject parcels are subject to this ZCPA.
3. Revise Note #4 on Sheet 2. County records indicate that the area of the property is 587.73 acres.
4. Clearly illustrate relocated Creighton Road on Sheet 4.
5. Identify the locations of Site 44LD787, Cemetery Site, and Site 44LD787, Structure 53-985, subject to Proffers VIII.B and VIII.C (ZMAP-2002-0011) on the plans.
6. The Open Space calculations in the Site Tabulations and Proposed Uses chart, PDH District Tabulations chart, and the Revised General Plan Land Use Analysis chart are inconsistent. Correct the discrepancies between the Open Space calculations in these charts.
7. The PDH District Tabulations indicates that 39 fewer acres of Open Space are proposed with this ZCPA than with ZMAP-2002-0011 or ZCPA-2006-0007. Provide additional information accounting for the 39 acre loss.
8. Clarify on the plans that the modification to the R-8 district requirements detailed on Sheet 10 was approved with ZMAP-2002-0011, and is not proposed with this ZCPA application.

C. Zoning Ordinance Modification Request Comments

1. The Applicant is requesting a modification to §7-903(C)(1)(c), to reduce the rear yard requirement for single-family attached dwellings in the R-16 (ADU) district. However, the only land bays in Loudoun Valley Estates II to be administered under the R-16 ADU district regulations are Land Bays 3 and 4, which are designated for multi-family dwellings only. Single-family attached dwellings are not permitted in Land Bays 3 and 4, unless this application is revised accordingly.

D. Proffer Comments

1. Revise page 1 of the Proffer Statement to clarify that the proffers, concept development plan, and zoning ordinance modifications approved for ZMAP-2002-0022, as amended by ZCPA-2006-0007, shall remain in full force and effect for the balance of the Loudoun Valley Estates II property.

A-002

COUNTY OF LOUDOUN
DEPARTMENT OF BUILDING AND DEVELOPMENT
ZONING ADMINISTRATION REFERRAL

DATE: March 21, 2008
TO: Mike Elabarger, Project Manager, Planning
FROM: Claire Gron, Planner, Zoning Administration
THROUGH: Mark Stultz, Deputy Zoning Administrator
CASE NUMBER AND NAME: ZCPA-2007-0005 Loudoun Valley Estates II
2nd Submission
TAX MAP / PARCEL NUMBER: /92////////18/ 123-36-7324
/92////////19/ 123-46-9478
/92////////20/ 122-26-3229
/92////////23/ 122-46-6311

I. APPLICATION SUMMARY

Loudoun Valley Associates, L.P. ("the Applicant") requests a Zoning Concept Plan Amendment to amend the Conceptual Development Plan and Proffer Statement proffered with the approval of Zoning Map Amendment (ZMAP) 2002-0011, as amended by ZCPA-2006-0007, for the un-subdivided portions of Loudoun Valley Estates II.

The Applicant indicates that the purpose of the ZCPA is as follows: 1) consistency with the current alignments for Loudoun County Parkway and Creighton Road; 2) consistency with the floodplain limits as defined by an approved floodplain alteration study; 3) to amend the configuration of the Land Bay 4R and adjacent Land Bay 3b; 4) to eliminate a proffered interparcel road connection between Land Bay 5 and Brambleton; and 5) to propose an additional entrance to Land Bay 5. The Applicant is also requesting a zoning modification to Sections 4-110(J) and 4-205(C)(2) of the Revised 1993 Loudoun County Zoning Ordinance.

Furthermore, Land Bays 3 and 4, to be administered under the R-16 ADU district regulations, are currently designated for multi-family dwelling units only. This ZCPA also serves to designate Land Bays 3 and 4 for both multi-family and single-family attached dwelling units. The Applicant should revise the Statement of Justification to identify this significant change.

The subject property is zoned PD-H4 (Planned Development – Housing 4), under the Revised 1993 Loudoun County Zoning Ordinance. Portions of parcel LCTM# /92////////18/ (MCPI# 123-36-7324) lie within the limits of the Airport Impact Overlay District (AI) (Ldn60 1-mile buffer). Portions of all four subject parcels lie within the limits of the Floodplain Overlay District (FOD) (Major and Minor Floodplain).

The following materials were reviewed for the purpose of this referral:

A-003

- A. Memorandum and Information Sheet, dated February 20, 2008.
- B. Zoning Concept Plan Amendment Statement of Justification, revised through February 19, 2008.
- C. Proffer Statement, revised through February 19, 2008.
- D. Zoning Concept Plan Amendment Plats, dated June 22, 2007, revised through February 14, 2008.

II. ZONING CONCEPT PLAN AMENDMENT APPLICATION ISSUES:

A. Conformance with the Revised 1993 Loudoun County Zoning Ordinance

- 1. **Section 3-607(C).** In the Minimum Lot Requirements chart for Land Bays 3 & 4 on Sheet 10, clarify that a maximum of 8, not 10 townhouse units is permitted per building.
- 2. **Section 4-205(C)(1)(a).** Remove this requirement from the plans, as the commercial portion of Land Bay 4 will be administered under the CC (Community Center) requirements, not the NC (Neighborhood Center) requirements.
- 3. **Section 4-205(C).** Revise the Minimum Lot Requirements chart for the commercial portion of Land Bay 4 on Sheet 10 to clarify that the PD-CC(CC) district requirements do not specify front, side, and rear yard requirements. Instead, yards are required adjacent to roads, adjacent to agricultural and residential districts and land bays allowing residential units, and adjacent to other nonresidential districts.
- 4. **Section 7-803(D)(3).** The maximum lot coverage for single family attached units in the R-8 (ADU) district is 75%. Correct the Minimum Lot Requirements chart for Land Bays 1, 2, 5, 6 & 7 on Sheet 10 accordingly.
- 5. **Section 7-903(B).** It appears as if townhouses are proposed for Land Bays 3 & 4, as the Applicant references the lot width requirements for townhouses, and not quadruplexes. Therefore, specify, in the Minimum Lot Requirements chart for Land Bays 3 & 4 on Sheet 10 that townhouses will be provided.

B. Plat Comments

- 1. On Sheet 10, the Site Tabulations chart states that 101.81 acres of Non-RSCOD Natural Areas have been provided, however, the Revised General Plan Land Use Analysis states that 101.11 acres of Non-RSCOD Natural Areas have been provided. In addition, the Site Tabulations states that 54.49 acres of Buffers/Streetscape Areas have been provided, however, the Revised General Plan Land Use Analysis states that 53.42 acres have been provided. Correct these discrepancies.
- 2. In the Minimum Lot Requirements chart for Land Bays 3 & 4 on Sheet 10, remove the maximum units per building requirement for multi-family dwellings from the plans, as the Revised 1993 Loudoun County Zoning Ordinance has been revised to remove this requirement.

C. Zoning Ordinance Modification Request Comments

- 1. Section 4-205(C)(2). The proposed modification addresses the reduction in the width of the required yard, but fails to address screening requirements. The Applicant should specify if and how §4-205(C)(2), which states, "No parking, outdoor storage, areas for collection of refuse or loading space shall be permitted in areas between buildings and such agricultural districts, existing or planned residential districts, or land bays allowing

A-004

residential uses where such uses or areas are visible from said agricultural and residential areas,” is being modified. As proposed, no parking, outdoor storage, areas for collection of refuse or loading spaces will be permitted in areas between buildings and the adjacent land bays allowing residential uses where such uses are visible.

2. The Applicant is requesting modifications to §§4-205(C)(2) and 4-110(J), to reduce the required yard/permanent open space buffer to 25 feet. However, no corresponding modification is requested to §4-205(C)(1)(b), which requires a 35 foot yard. Be advised that a 35 foot yard may be required pursuant to §4-205(C)(2), even if modifications to §§4-205(C)(2) and 4-110(J) are obtained.
3. The Applicant is requesting modifications to §§4-205(C)(2) and 4-110(J), and proposes the provision of an “enhanced Type 3 buffer yard” with 3 canopy trees, 3 understory trees, 20 shrubs and 4 evergreen trees per 100 lineal feet. However, it is noted that while the proposed plantings would “enhance” a Type 3 front buffer yard, the proposed plantings do not meet the minimum requirements of the Type 3 side/rear buffer yard. However, no corresponding modification is requested to Table 5-1414(B). Be advised that landscaping materials specified in Table 5-1414(B) may be required even if modifications to §§4-205(C)(2) and 4-110(J) are obtained.

D. Proffer Comments

1. On page 1, reference PIN: 123-46-9478, not PIN: 123-46-9479.
2. Proffer I states that Sheet 6 of the CDP is proffered. Therefore, remove the note from Sheet 6 which states, “This plan is not proffered and is illustrative of general design implementation only!”
3. For Proffer VII.E., change all references from “the Applicant” to “the Owner.”
4. For Proffer VII.E., clarify what is meant by “appropriate” deciduous and evergreen native plant species. It is recommended that the Owner identify species “such as, but not limited to...”
5. For Proffer VII.E.2, it is stated that plantings “shall be done in conjunction with the development of adjacent areas.” Specify when the plantings will be installed (e.g., prior to issuance of zoning permits, prior to occupancy).
6. For Proffer VII.H, change all references from “the Applicant” to “the Owner.”
7. Proffer VII.H states that a maximum of 10% of the cumulative total of the 50-foot management buffer area may be reduced. Specify the size of the cumulative total of the 50-foot management buffer area.
8. For Proffer VII.H, clarify what is meant by “appropriate” deciduous evergreen native plant species. It is recommended that the Owner identify species “such as, but not limited to...”
9. For Proffer VII.H, specify when the plantings will be installed (e.g., prior to issuance of zoning permits, prior to occupancy).
10. For Proffer VIII.D, change all references from “the Applicant” to “the Owner.”
11. For Proffer VIII.D, specify when the protective fencing will be installed.
12. For Proffer VIII.D, specify the type of fencing that will be provided.

E. Statement of Justification Comments

1. Land Bays 3 and 4, to be administered under the R-16 ADU district regulations, are currently designated for multi-family dwelling units only. This ZCPA also serves to designate Land Bays 3 and 4 for both multi-family and single-family attached dwelling units. The Applicant should revise the Statement of Justification to identify this significant change.

A-005

COUNTY OF LOUDOUN

DEPARTMENT OF BUILDING AND DEVELOPMENT

ZONING ADMINISTRATION REFERRAL

DATE: May 28, 2008

TO: Mike Elabarger, Project Manager, Planning

FROM: Rory Toth, Planner, Zoning Administration

THROUGH: Mark Stultz, Deputy Zoning Administrator

CASE NUMBER AND NAME: ZCPA-2007-0005 Loudoun Valley Estates II, 3rd Submission

TAX MAP / PARCEL NUMBER:

/92////////18/	123-36-7324
/92////////19/	123-46-9478
/92////////20/	122-26-3229
/92////////23/	122-46-6311

I. APPLICATION SUMMARY

Loudoun Valley Associates, L.P. ("the Applicant") requests a Zoning Concept Plan Amendment to amend the Conceptual Development Plan and Proffer Statement proffered with the approval of Zoning Map Amendment (ZMAP) 2002-0011, as amended by ZCPA-2006-0007, for the un-subdivided portions of Loudoun Valley Estates II.

The Applicant indicates that the purpose of the ZCPA is as follows: 1) consistency with the current alignments for Loudoun County Parkway and Creighton Road; 2) consistency with the floodplain limits as defined by an approved floodplain alteration study; 3) to amend the configuration of the Land Bay 4R and adjacent Land Bay 3b; 4) to eliminate a proffered interparcel road connection between Land Bay 5 and Brambleton; and 5) to propose an additional entrance to Land Bay 5. The Applicant is also requesting a zoning modification to Sections 4-110(J) and 4-205(C)(2) of the Revised 1993 Loudoun County Zoning Ordinance.

Furthermore, Land Bays 3 and 4, to be administered under the R-16 ADU district regulations, are currently designated for multi-family dwelling units only. This ZCPA also serves to designate Land Bays 3 and 4 for both multi-family and townhouse units.

The subject property is zoned PD-H4 (Planned Development – Housing 4), under the Revised 1993 Loudoun County Zoning Ordinance. Portions of parcel LCTM# /92////////18/ (MCPI# 123-36-7324) lie within the limits of the Airport Impact Overlay District (AI) (Ldn60 1-mile buffer). Portions of all four subject parcels lie within the limits of the Floodplain Overlay District (FOD) (Major and Minor Floodplain).

A-006

The following materials were reviewed for the purpose of this referral:

- A. Memorandum and Information Sheet, dated May 5, 2008.
- B. Zoning Concept Plan Amendment Statement of Justification, revised through May 2, 2008.
- C. Proffer Statement, revised through May 2, 2008.
- D. Zoning Concept Plan Amendment Plats, dated June 22, 2007, revised through May 2, 2008.

II. ZONING CONCEPT PLAN AMENDMENT APPLICATION ISSUES:

A. Conformance with the Revised 1993 Loudoun County Zoning Ordinance

1. Previous Comment: **Section 4-205(C).** *Revise the Minimum Lot Requirements chart for the commercial portion of Land Bay 4 on Sheet 10 to clarify that the PD-CC(CC) district requirements do not specify front, side, and rear yard requirements. Instead, yards are required adjacent to roads, adjacent to agricultural and residential districts and land bays allowing residential units, and adjacent to other nonresidential districts.* Comment not addressed.

B. Plat Comments

1. Clarify how the Public Use site in the southeastern portion of the subject property will be accessed. Access must be addressed with this application.

C. Zoning Ordinance Modification Request Comments

1. Section 4-205(C)(2). The proposed modification addresses the reduction in the width of the required yard, but fails to address screening requirements. The Applicant should specify if and how §4-205(C)(2), which states, "No parking, outdoor storage, areas for collection of refuse or loading space shall be permitted in areas between buildings and such agricultural districts, existing or planned residential districts, or land bays allowing residential uses where such uses or areas are visible from said agricultural and residential areas," is being modified. As proposed, no parking, outdoor storage, areas for collection of refuse or loading spaces will be permitted in areas between agricultural districts where said uses are visible from the agricultural district. In addition, clarify what is meant by visible from residential areas (i.e. residential districts and/or residential landbays). Also, it appears the word "of" before the word "loading" should be replaced with the word "or."
2. The Applicant is requesting modifications to §§4-205(C)(2) and 4-110(J), to reduce the required yard/permanent open space buffer to 25 feet. The Applicant also requested a modification of §4-205(C)(1)(b), which requires a 35 foot yard. Be advised that a 35 foot yard may be required pursuant to §4-205(C)(3), even if modifications to §§ 4-205(C)(1)(b), 4-205(C)(2) and 4-110(J) are obtained.
3. The Applicant is requesting modifications to §§4-205(C)(2) and 4-110(J), and proposes the provision of an "enhanced Type 3 front yard" with 3 canopy trees, 3 understory trees, 20 shrubs and 4 evergreen trees per 100 lineal feet and an "enhanced Type 3 side/rear buffer yard" with 2 canopy trees, 5 understory trees, 20 shrubs and 6 evergreen trees per

A-007

May 28, 2008

100 lineal foot. Staff notes that no corresponding modification is requested to Table 5-1414(B). Be advised that landscaping materials specified in Table 5-1414(B) may be required even if modifications to §§4-205(C)(2) and 4-110(J) are obtained.

D. Proffer Comments

1. For Proffer VII.E.2, it is stated that plantings “shall be done in conjunction with the development of adjacent areas and shall be installed prior to occupancy of such areas.” Clarify what is meant by occupancy of such areas (e.g., prior to issuance of the first occupancy permit) and clarify what is meant by adjacent areas. Staff notes there are already portions of Loudoun Valley Estates II which are subdivided where occupancy permits have been issued. Please clarify.
2. For Proffer VII.H, clarify what is meant by “....prior to occupancy of the areas adjacent to the reduced buffers.” Also, clarify what is meant by “areas adjacent.”

A-008

County of Loudoun
Department of Planning
MEMORANDUM

DATE: December 6, 2007

TO: Mike Elabarger, Project Manager
Land Use Review

FROM: Kelly Williams, Planner ^{km}
Community Planning

SUBJECT: ZCPA 2007-0005 Loudoun Valley Estates II

BACKGROUND

Loudoun Valley Associates, L.P. requests to amend the proffers and Concept Development Plan that were approved with ZMAP 2002-0011 (Loudoun Valley Estates II) and as amended by ZCPA 2006-2007, in order to revise road alignments, reconfigure entrances into Land Bay 5 and to remove an interparcel connection. The ZCPA proposes also to reconfigure Land Bays 3B and 4R and to adjust floodplain limits and buffers in accordance with an approved floodplain alteration study. A Zoning Modification is also being requested to reduce the rear yard setbacks within the R-16 District.

On April 6, 2004, the Board of Supervisors approved ZMAP 2002-0011 which allowed the development of up to 2,861 dwellings at a density of 3.3 dwelling units per acre and up to 100,000 sq. ft. of commercial retail. Loudoun Valley Estates is located on the south side of Ryan Road (Route 772) and the east side of the Brambleton development, approximately 1 mile west of the Dulles Greenway interchange with Loudoun County Parkway.

COMPLIANCE WITH THE COMPREHENSIVE PLAN

The subject property is governed under the policies of the Revised General Plan, the Revised Countywide Transportation Plan (CTP) adopted July 23, 2001, and the Bicycle and Pedestrian Mobility Master Plan (Bike/Ped Plan). The site is located within the Suburban Policy Area. The Revised General Plan identifies the subject site for both Residential and Industrial land uses (Revised General Plan, Planned Land Use Map, p. 7-23).

A-009

ANALYSIS

The Revised General Plan recommends that Residential Neighborhoods be developed with densities up to 4.0 dwelling units per acre with a variety of housing types and land uses to allow residents to work and shop nearby (*text, p.6-17*). Loudoun Valley Estates II is an approved planned residential community that is consistent with the land use policies of the Plan.

Upon review of the submitted concept Development Plan and revised proffers, it appears that the changes proposed are minor in nature and do not alter the overall intent of the original rezoning. The densities and land use pattern will remain the same with adjustments to road alignment, bridge location, land bay area and floodplain delineation. Staff offers the following comments to the specific changes:

1. Road Alignment and Floodplain Adjustment

The Concept Development Plan has been amended to reflect the established alignments of Loudoun County Parkway and Creighton Road and its associated 100-year floodplain alteration. Staff has no comment.

2. Reconfiguration of Land Bays 4R and 3B

Land Bay 4R has been adjusted slightly to accommodate the propose retail uses originally approved on this site. Subsequently, Land Bay 3B has also been revised. No changes have made to the densities approved or proffers that govern the development of these parcels. Staff has no comment.

3. Eliminate Interparcel Connection

The interparcel connection is proposed to be removed from between Land Bay 5 and the adjacent Brambleton development. The Brambleton property has already been developed and there was no interparcel connection provided on that property.

Although a road connection in this location is not possible, the County continues to encourage bicycle and pedestrian linkages to existing adjacent developments (*Bike/Ped Plan, Policy 7, p. 22*). Pedestrian circulation systems should be provided as convenient, safe and attractive links between residential groupings, open space areas, recreation areas, schools and local shopping centers (*Revised General Plan, text, p. 11-9*). Therefore, staff recommends that the applicant consider approaching the Brambleton community about providing a pedestrian connection between the two developments.

4. Additional Entrance to Land Bay 5

An additional entrance from Creighton Road into Land Bay 5 is being proposed in this application. It is intended to replace the currently approved divided single entrance. Staff defers to the Office of Transportation Services to determine if the proposal will improve vehicular circulation as proposed by the applicant.

A-010

5. Zoning Modification Section 7-903

The applicant is proposing a modification to the rear yard setback for the R-16 single-family attached Affordable Dwelling Units (ADU). The proposal would reduce the setback from the required 25 feet to 16 feet, which is consistent with the requirements for R-8 single-family attached units under Section 7-803(C)(1)(c) for ADU Districts. The applicant is proposing to have the rear yards for the ADU's in these sections of the development be consistent in design. Staff agrees with the applicants design proposal and recommends approval of this modification.

RECOMMENDATIONS

Staff recommends approval of the proposed Zoning Concept Plan Amendment to amend the approved proffers and Concept Development Plan for ZMAP 2002-0011, Loudoun Valley Estates II, with respect to the changes in road alignments, interparcel connection, reconfiguration of Land Bays 3B and 4R and adjusted floodplain limits. Staff also recommends approval to the proposed Zoning Modification to reduce the rear yard setbacks for ADU's within the R-16 District.

In order to provide pedestrian linkage and circulation to adjacent existing properties as envisioned by the Plan, staff recommends that the applicant consider approaching the Brambleton community about providing a pedestrian connection between the two developments where the interparcel connection is being removed.

cc: Julie Pastor, AICP, Planning Director
Cynthia Keegan, AICP, Program Manager

County of Loudoun
Department of Planning

MEMORANDUM

DATE: April 1, 2008

TO: Mike Elabarger, Project Manager
Land Use Review

FROM: Kelly Williams, Planner
Community Planning

SUBJECT: ZCPA 2007-0005 Loudoun Valley Estates II, 2nd Referral

BACKGROUND

Loudoun Valley Associates, L.P. requests to amend the proffers and Concept Development Plan that were approved with ZMAP 2002-0011 (Loudoun Valley Estates II) and as amended by ZCPA 2006-2007, in order to revise road alignments, reconfigure entrances into Land Bay 5 and to remove an interparcel connection. The ZCPA proposes also to reconfigure Land Bays 3B and 4R and to adjust floodplain limits and buffers in accordance with an approved floodplain alteration study.

On April 6, 2004, the Board of Supervisors approved ZMAP 2002-0011 which allowed the development of up to 2,861 dwellings at a density of 3.3 dwelling units per acre and up to 100,000 sq. ft. of commercial retail. Loudoun Valley Estates is located on the south side of Ryan Road (Route 772) and the east side of the Brambleton development, approximately 1 mile west of the Dulles Greenway interchange with Loudoun County Parkway.

This is the second submission of the application. The applicant has responded to first submission comments by providing a response letter with a revised Concept Development Plan (CDP) and Statement of Justification dated February 19, 2008. The applicant has added two additional modifications of the Zoning Ordinance buffer and setback requirements since the first submission. This referral will address those modifications, as well as, the remaining outstanding issues. This referral is intended to be supplementary to Community Planning's December 6, 2007 referral.

OUTSTANDING ISSUES

A. ENVIRONMENTAL RESOURCES

In the first referral by the Environmental Review Team (ERT) of the Department of Building and Development, it was noted that the 50-foot management buffer as approved on the original CDP had been reduced to 25 feet in some areas along the floodplain. This change was not identified in the statement of justification or application materials as a proposed

A-012

amendment to the CDP. Community Planning staff offers the following comments in support of the Environmental Review Team recommendations.

The Green Infrastructure is a collection of natural, cultural, heritage, environmental, protected, passive and active resources that will be integrated in a related system. It includes stream corridors, vegetative landscapes, wildlife and endangered species habitats, and heritage resources (Revised General Plan, Policy 1, p.5-1 & 5-2). Development should take place around these elements, incorporating them into the design of the site (Revised General Plan, text, p. 6-2). Such an approach places a priority on preserving both sensitive environmental and man-made features.

1. River and Stream Corridor

The subject site contains river and stream corridor resources including floodplain, steep slopes and forest cover as defined by the Revised General Plan. Floodplains and adjacent steep slopes (slopes 25% or greater) located within 50 feet of streams and floodplains and extending no farther than 100 feet beyond the originating stream or floodplain; along with a 50-foot management buffer surrounding the adjacent steep slopes together constitute the river and stream corridor resource (Revised General Plan, Policy 2, p. 5-6). The Plan's intent for a 50-foot management buffer is to serve as protection for the river and stream corridor elements from upland disturbances and adjacent development (Revised General Plan, Policy 4, p. 5-6). The 50-foot management buffer can be reduced if it can be shown that a reduction does not adversely impact the stream corridor elements, and that performance standards and criteria are met and maintained (Revised General Plan, Policy 5, p. 5-6).

Staff recommends the applicant maintain the 50-foot management buffer adjacent to the floodplain as called for in the Plan and as shown on the approved Concept Development Plan ZMAP-2002-0011. If it is the applicant's intent to reduce the buffer limits as shown on the revised CDP, more information should be provided demonstrating how a buffer reduction would not adversely impact the stream corridor resources. The proposed proffer for the 50-foot management buffer does not adequately address the impact to river and stream corridor resources as replanting is not proposed in areas that are currently deforested. Re-plantings are only proposed in areas where the applicant is clearing forest.

B. BUFFER MODIFICATIONS FOR RETAIL CENTER

The applicant is requesting a modification to reduce the 75 foot permanent open space buffer to 25 feet around the perimeter of the retail site. Additionally, the applicant is requesting to reduce the 100 foot yard requirement to 25 feet, which limits building parking, outdoor storage, trash collection areas and loading areas between retail centers and adjacent residential uses.

Retail uses fall under the land use policies of the Countywide Retail Policy Plan Amendment (*Retail Plan*). The Retail Plan states that "Neighborhood Retail Centers (generally serving up to 3,000 households) will be developed as a focal point of the neighborhood, providing services that reinforce the neighborhood identity and may include civic uses" (*Retail Plan, Policy #3, pg. 16*). Neighborhood Retail Centers will be located in suburban residential communities generally internal to the residential neighborhood being served (*Retail Plan,*

A-013

Policy #1, pg. 15). The Retail Plan states that "Neighborhood Retail Centers will be visually and acoustically buffered from the surrounding residences and traffic volumes and accessibility requirements will not conflict with residential vehicular and pedestrian traffic" (*Retail Plan, Policy #8, pg. 16*). Additionally, the design and siting of Neighborhood Retail Centers will mitigate the impacts of parking, signs, lighting, waste storage, and loading on the adjacent neighborhood (*Retail Plan, Policy #5, pg. 16*).

More specifically, the following guidelines apply to the development of any retail center (*Retail Plan, text, pg. 19*). The guidelines are intended to emphasize the site development of retail uses that accommodate the customer, the retail business, and the adjoining land uses. They are also intended to enhance the physical development of the County's principal transportation corridors as well as the County's neighborhood and office centers.

- It is desirable to have a green space to separate parking lots from sidewalks.
- Parking areas should be visually screened from adjacent streets and residential areas by heavy landscaping, depressing the parking areas and/or by constructing earthen berms.
- Large parking areas should be landscaped with trees and shrubs to reduce the visual impact, provide shade, and reduce the heat adsorption of the parking area.
- The street frontage of retail centers should be landscaped with trees to help create a green edge on both sides of the street.

Staff does not agree with the applicant's statement of justification which indicates that reducing the open space areas and setbacks will promote pedestrian access and community cohesiveness. As designed, pedestrians have to transverse a large parking area to get to the retail uses. Additionally, the intent of the retail policies is to reduce the impact of retail structures, parking, loading and trash collection on adjacent residential areas and streets by providing extensive landscaping and buffering. Reducing the setback and openspace buffer area as proposed is not in conformance with the Retail Plan policies.

Staff does not recommend approval of the proposed modifications as reducing the setback and open space buffer area is not in conformance with the Retail Plan policies.

RECOMMENDATIONS

Staff is not able to recommend approval of the application until such time as the following is addressed:

- Maintain the 50-foot management buffer adjacent to the floodplain as called for in the Plan and as shown on the approved Concept Development Plan ZMAP-2002-0011.
- Remove from the application the setback and open space buffer modifications for the retail use, as the proposal is not in conformance with the Retail Plan policies that call for extensive landscaping and buffering between retail uses and adjacent residential areas and streets.

cc: Julie Pastor, AICP, Planning Director
Cynthia Keegan, AICP, Program Manager, via e-mail

A-014

From: Kelly Williams
To: Elabarger, Mike
Date: 5/19/2008 10:28 AM
Subject: Loudoun Valley Estates, 3rd submission

CC: Keegan, Cynthia
Mike,

I am waiting to get with Todd Taylor regarding the "environmental issues". I will forward those comments as soon as I can.

Regarding the setback modifications for the retail area, my comments in the second referral dated April 1, 2008 still stand. Although some additional landscaping has been proposed, reducing the 75 foot permanent open space buffer to 25 feet around the perimeter of the retail site and the 100 foot yard requirement to 25 feet is not in compliance with the Retail Policies of the Plan. Please see my second referral for details.

Please let me know if you have questions.

Kelly

Kelly Williams
Planner, Community Planning
1 Harrison Street, 3rd Floor
P.O. Box 7000
Leesburg, VA 20177-7000
Phone (703) 771-5496
Fax (703) 777-0441

A-015

DEPARTMENT OF BUILDING AND DEVELOPMENT

COUNTY OF LOUDOUN

MEMORANDUM

DATE: December 13, 2007

TO: Mike Elabarger, Project Manager, Department of Planning

FROM: Todd Taylor, Environmental Engineer

THROUGH: William Marsh, Environmental Review Team Leader

CC: Kelly Williams, Community Planner
Heidi Siebentritt, Historic Resources Planner

SUBJECT: ZCPA-2007-0005 Loudoun Valley Estates II

The Environmental Review Team (ERT) reviewed the subject application during the November 27, 2007, ERT Meeting. Our comments pertaining to the current application are as follows:

Regarding streams and buffers

1. Although not identified in the statement of justification, this application proposes to change the River and Stream Corridor 50-foot Buffer to a 25-foot minimum and 50-foot maximum Floodplain Buffer. In addition, the revised concept development plan (CDP) depicts land bays encroaching within the Floodplain Buffer. The revised CDP does not comply with the River and Stream Corridor Policies of the Revised General Plan (RGP) and therefore staff does not support this change. Staff recommends honoring the 50-foot buffer that was approved as part of ZMAP-2002-0011, which helps offset the impacts of increased density adjacent to Broad Run. Consistent with River and Stream Corridor Policy 18 (RGP, Page 5-10), landbay limits should be outside of the buffer.

Regarding wetlands

2. For those areas within the Loudoun Valley Estates II development where wetland permits have not yet been issued, staff recommends that the applicant commit to the following wetland and stream mitigation sequencing:

“For any wetland and stream impacts on the property determined to be unavoidable in conjunction with the permitting process, and are not included as part of a wetland permit issued prior to the approval of this application, the applicant shall provide wetland mitigation in the following priority order: 1) onsite, 2) within the Broad Run Watershed

A-016

of the Transition Policy Area, 3) within the Broad Run Watershed outside the Transition Policy Area but within Loudoun County, and 4) within Loudoun County, subject to approval of the Army Corps of Engineers and the Virginia Department of Environmental Quality. If no such areas are available within the County as verified by County staff, the applicant shall be permitted to provide wetland mitigation outside of Loudoun County.”

The commitment is consistent with Policy 23 on Page 5-11 of the Revised General Plan (RGP) which states that “the County will support the federal goal of no net loss to wetlands in the County.” Furthermore, it should be noted that similar commitments have been provided with recent rezoning applications.

Regarding tree cover

3. With this application, “Potential Tree Save Areas” and “Potential Replanting Areas” have been removed from Sheet 7. As these areas apply to existing and proposed proffers, please add them back to the plan sheet.
4. As part of this application, staff strongly recommends that the intent of Proffer VII.E.2 be clarified. Although not clearly illustrated on Sheet 7 of the rezoning plan set for ZMAP-2002-0011, staff believes the intent of this commitment is to replant all open areas within the River and Stream Corridor, including all open floodplain, except those areas corresponding to Loudoun County Sanitation Authority (LCSA) easements. The staff report for ZMAP-2002-0011 states that the intent of the reforestation is to recover areas denuded by past agricultural operations and stabilize erosion and sedimentation. The staff report further states that the reforestation will help to mitigate the removal of other forested areas planned for development on the property. Staff does not believe that the proffer was intended to result in open floodplain between the existing vegetation and the replanting area. In addition, based on discussions with the County Forester, the specified planting rate, 100 seedlings per acre, is well below industry standards. To provide a reasonable reforestation approach, staff recommends that the proffer specify a plant stocking of 200-250 hardwood seedlings or 100 1-inch minimum caliper hardwood trees per acre.

Regarding Historic Resources

5. Based on the revised CDP, the adjusted limits of Land Bay 4R correspond with an existing cemetery, in which the Phase 1 archeological survey recommended avoidance. The Illustrative Plan (Sheet 5) depicts the cemetery in an island in the northeastern corner of the retail site. Staff defers to the Historic Resources Planner in the Department of Planning for specific comments regarding the cemetery and appropriate buffering.

Regarding soils

6. Please verify that the soils information provided on Sheet 11 reflects the preliminary soils reviews (PSRs) that have been completed for the development. Please update Note 8 on Sheet 2 accordingly.

A-017

Regarding noise

7. Loudoun County Parkway is a planned arterial road. Recent rezoning applications have included commitments to perform a noise analysis and provide noise attenuation measures, if needed, to ensure compliance with the noise policies within the Revised Countywide Transportation Plan. Staff requests information regarding how this development will comply with the noise policies.

Regarding Green Building Practices

8. Staff recommends developing a feasible, effective green building commitment for this application. Green building design has become a viable alternative in recent years subsequent to the Board of Supervisor's consideration of the original Loudoun Valley Estates II rezoning application. The Board of Supervisors recently adopted CPAM-2007-0001, housing policy that includes Guiding Principle Policy 12: "The County encourages development that utilizes energy efficient design and construction principles, promotes high performance and sustainable buildings, and minimizes construction waste and other negative environmental impacts." Several feasible, practicable standards exist for green neighborhood development, including but not limited to EarthCraft, LEED for Homes, and green building standards promulgated by the National Association of Home Builders.

The referenced commitment is also consistent with the General Water Policies supporting long-term water conservation (Policy 1, Page 2-20), the Solid Waste Management Policies supporting waste reduction, reuse, and recycling (Policy 2, Page 2-23), and the Air Quality Policies supporting the creation of pedestrian and bicycle facilities (Policy 1, Page 5-41). Furthermore, the County encourages project designs that ensure long-term sustainability, as discussed in the Suburban Policy Area, Land Use and Pattern Design text (Page 6-2).

Other

9. For clarity, staff recommends identifying on the plans the portions of Loudoun County Parkway, Creighton Road, and the floodplain that have been adjusted with this application to be consistent with the more detailed development plans (CPAP-2005-0074, CPAP-2006-0004, FPST-2002-0015) as described in the statement of justification.

Due to the scope of the comments provided, staff requests an opportunity to review the subsequent submission of this application. Please contact me if you need any additional information.

A - 018

DEPARTMENT OF BUILDING AND DEVELOPMENT

COUNTY OF LOUDOUN

MEMORANDUM

DATE: March 20, 2008

TO: Mike Elabarger, Project Manager, Department of Planning

FROM: Todd Taylor, Environmental Engineer

THROUGH: William Marsh, Environmental Review Team Leader

CC: Kelly Williams, Community Planner
Brian Fuller, Department of Parks, Recreation, and Community Services

SUBJECT: **ZCPA-2007-0005 Loudoun Valley Estates II**
(2nd Submission)

The Environmental Review Team (ERT) reviewed the revised application and offers the following comments:

1. Staff does not support the reduction of the 50-foot Management Buffer that was provided as part of ZMAP-2002-0011. As stated in the public hearing staff report for ZMAP-2005-0011, staff believes that reforestation of the full buffer was provided as a commitment to help offset impacts of previous agricultural activities and to mitigate the removal of other forested areas that are developed on the property. In addition, staff finds that proposed Proffer VII.H is inadequate in regards to the following: 1) the areas where encroachments are proposed are currently required to be replanted per Proffer VII.E.2 for ZMAP-2002-0011; 2) the commitment to compensate by planting the equivalent amount of plant materials that are eliminated by the reduction results in very little planting, if any, considering the locations of the encroachments predominantly occur in open areas within the buffer; and 3) the proposed initial stocking level of 100 seedlings per acre is well below industry standards for reforestation. The County currently reviews riparian planting plans that include initial stocking levels of 1,000 seedlings per acre.
2. Staff recommends that Proffer VII.E.2 be revisited to provide a clear commitment to reforest/enhance the riparian corridor along Broad Run. To provide a reasonable reforestation approach, staff recommends that the commitment specify a minimum plant stocking of 250 hardwood seedlings or 100 1-inch minimum caliper hardwood trees per acre. Staff also supports including language requiring floodplain plantings with the Stream Valley Park to be approved and coordinated through PRCS, as recommended in PRCS's December 12, 2007 comments. Staff understands that Proffer VII.E.2 for ZMAP-2002-0011 refers to the replanting of "denuded RSCOD areas located within the Potential Replanting Areas shown on Sheet 7 of the CDP". Staff also acknowledges that the Stream Valley Park is

A-019

located between the Potential Replanting Areas and the existing tree cover along Broad Run. However, staff does not believe that the proffer was intended to result in open floodplain between the existing vegetation and the replanting area. This approach is inconsistent with standard riparian reforestation/enhancement practices. As previously stated, staff believes that the intent is to replant all open areas within the River and Stream Corridor Buffer, including open floodplain that corresponds with the Stream Valley Park. In addition, this intent is consistent with the replanting plan the applicant is currently coordinating with Parks, Recreation, and Community Services' (PRCS) as described in the PRCS comments, dated December 12, 2007.

3. The applicant's responses state that it is anticipated that any required mitigation will occur on the property. Staff supports this approach, however, a formal commitment has not been provided. Staff continues to recommend that the applicant commit to the following wetland and stream mitigation sequencing, which is consistent with Policy 23 on Page 5-11 of the Revised General Plan:

"For any wetland and stream impacts on the property determined to be unavoidable in conjunction with the permitting process, and are not included as part of a wetland permit issued prior to the approval of this application, the applicant shall provide wetland mitigation in the following priority order: 1) onsite, 2) within the Broad Run Watershed of the Transition Policy Area, 3) within the Broad Run Watershed outside the Transition Policy Area but within Loudoun County, and 4) within Loudoun County, subject to approval of the Army Corps of Engineers and the Virginia Department of Environmental Quality. If no such areas are available within the County as verified by County staff, the applicant shall be permitted to provide wetland mitigation outside of Loudoun County."

4. The statement of justification states that one element of this application is to amend the concept development plan to be consistent with the road alignments and floodplain limits as depicted on CPAP-2007-0110, CPAP-2006-0004, and FPST-2002-0015. However, the alignment of Loudoun County Parkway is not consistent with the alignment proposed with CPAP-2007-0110, adjacent to the central portion of land bays 4 and 5. Likewise, the floodplain limits for the unnamed tributary to Broad Run, adjacent to Creighton Road, is not consistent with FPST-2002-0015. Please review and update as necessary.
5. This application also proposes two separate entrances to Land Bay 5 rather than the currently approved single entrance. The statement of justification states that this proposed change will improve vehicular circulation within Land Bay 5. The additional crossing proposes to traverse minor floodplain. Although road crossings are allowed within the River and Stream Corridor (Policy 18 on Page 5-10), the policies encourage the protection and preservation of stream corridors. Protection of the corridor is difficult to achieve when multiple crossings are proposed in very close proximity to one another (approximately 400 feet from Creighton Road crossing). The second crossing will also result in additional wetland/stream impacts. Staff requests additional information explaining the need for the second crossing.

Due to the scope of the comments provided, staff requests an opportunity to review the subsequent submission of this application. Please contact me if you need any additional information.

A-020

DEPARTMENT OF BUILDING AND DEVELOPMENT


COUNTY OF LOUDOUN

MEMORANDUM

DATE: May 21, 2008

TO: Mike Elabarger, Project Manager, Department of Planning

FROM: Todd Taylor, Environmental Engineer

THROUGH: William Marsh, Environmental Review Team Leader 

CC: Kelly Williams, Community Planner
Brian Fuller, Department of Parks, Recreation, and Community Services

SUBJECT: **ZCPA-2007-0005 Loudoun Valley Estates II**
(3rd Submission)

The Environmental Review Team (ERT) reviewed the revised application and offers the following comments:

1. Staff acknowledges the revisions to Draft Proffers VII.E.2 and VII.H and the addition of Draft Proffer VII.E.3. Staff appreciates the changes to some of the details but still finds the commitments to be unclear and believes that they will be difficult to enforce throughout the development of the property. In the April 14, 2008 meeting, the applicant was confident that the stream mitigation project, which they have been coordinating with the Department of Parks, Recreation, and Community Services (PRCS), will be constructed. The stream mitigation project has been kept separate from this application. The project includes reforestation of the open floodplain adjacent to Broad Run within the PRCS's Stream Valley Park. ERT believes that the project will be extremely beneficial to Broad Run and that the reforestation will offset the impacts of the landbay encroachments into the 50-foot buffer proposed with this application, which is consistent with Policy 5 on Page 5-6 of the Revised General Plan. Regardless as to whether the project gets approval from federal and state agencies as compensatory mitigation for wetland and/or stream impacts, ERT is recommending that the applicant provide a commitment to pursue the reforestation effort, replacing Draft Proffers VII.E.3 and VII.H. Staff also recommends that the commitment includes language stating that all plantings within the Stream Valley Park shall be approved and coordinated through PRCS, consistent with PRCS's comments.
2. Although not included in staff's March 20, 2008, referral, ERT continues to recommend that the applicant consider providing a green building commitment with

A-021


this application, which is consistent with General Water, Solid Waste Management, Air Quality policies and land use pattern and design for suburban policy areas of the RGP. Staff believes this submittal presents a promising opportunity to apply a residential green building standard to this site, and such a choice would implement Guiding Principle Policy 12 of approved CPAM-2007-0001.

Due to the scope of the comments provided, staff requests an opportunity to review the subsequent submission of this application. Please contact me if you need any additional information.

A-022

County of Loudoun
Office of Transportation Services
MEMORANDUM

DATE: January 7, 2008
TO: Mike Elabarger, Project Manager, Department of Planning
FROM: Art Smith, Senior Coordinator, Planning and Development
SUBJECT: ZCPA 2007-0005 Loudoun Valley Estates II
First and Final Referral



The applicant is seeking a concept plan amendment for the following changes which have transportation aspects:

1. To amend the alignment of the Loudoun County Parkway to reflect that shown on approved CPAP 2005-0074.
2. To amend the alignment of Creighton Road to reflect that shown on approved CPAP 2006-2004.
3. To amend the configuration of the 10-acre commercial Land Bay 4R in order to accommodate the retail uses now being planned for this site. This proposed change will also necessitate a corresponding change to the adjacent residential Land Bay 3b. Approved residential and non-residential densities will not change.
4. Two entrances are proposed for Land Bay 5 on Creighton Road. One is currently approved.
5. Elimination of a preferred interparcel connection between Land Bay 5 and Brambleton.

Comments:

Amendment 1: OTS has no objections to this alignment change providing the B&D project manager for CPAP 2005-0074, Michael Habib, confirms the Concept Plan Amendment conforms with the approved CPAP.

A-023

Page 2

ZCPA 2007-0005 Loudoun Valley Estates II

January 4, 2008

Amendment 2: : OTS has no objections to this alignment change providing the B&D project manager for CPAP 2006-2004, Bo Liu, confirms the Concept Plan Amendment conforms with the approved CPAP.

Amendment 3: OTS has no objections to the proposed configuration.

Amendment 4: One of the proposed entrances is located on a curve. Adequate sight distance needs to be confirmed. Turn lanes required by VDOT need to be provided for both entrances. Mr. Liu should be consulted on whether any changes are required to the approved CPAP.

Amendment 5: OTS has no objections to elimination of this connection since it is not provided for in the relevant Brambleton subdivision.

Cc: Andy Beacher, Assistant Director
Michael Habib, Building and Development
Bo Liu, Building and Development

A.024

County of Loudoun
Office of Transportation Services
MEMORANDUM

DATE: March 25, 2008
TO: Michael S. Elabarger, Project Manager, Department of Planning
FROM: Art Smith, Senior Coordinator, Planning and Development
SUBJECT: ZCPA 2007-0005 Loudoun Valley Estates
2nd Referral

This referral will serve to update the status of the comments in the initial OTS referral of January 7, 2008 based on the applicant's responses dated February 19, 2008.

Amendment 1: Has B&D project manager for CPAP 2005-0074, Michael Habib, confirmed that the Concept Plan Amendment conforms with the approved CPAP? If so, no problem.

Amendment 2: Has B&D project manager for CPAP 2006-0004, Bo Liu, confirmed that the Concept Plan Amendment conforms with the approved CPAP? If so, no problem.

Amendments 3 and 5: OTS has no objections to the approval of these amendments.

Amendment 4: Has Bo Liu confirmed whether this amendment requires changes to the CPAP?

Conclusion

OTS has no objections to the approval of this application if Mr. Habib and Mr. Liu (B&D) have provided necessary CPAP confirmations.

AJS/llm
cc: Andy Beacher, Assistant Director/Highway Division Chief

A-025

County of Loudoun
Office of Transportation Services
MEMORANDUM

DATE: May 21, 2008
TO: Michael Elabarger, Project Manager, Department of Planning
FROM: Art Smith, Senior Coordinator, Planning and Development
SUBJECT: ZCPA 2007-0005
Loudoun Valley Estates II
Third and Final Referral

OTS has reviewed the applicant's responses to referral comments dated May 2, 2008. We note VDOT has reviewed the application has no objection to its approval.

Conclusion

OTS has no objections to the approval of this application.

AJS/llm
cc: Andy Beacher, Assistant Director

A-026



**COUNTY OF LOUDOUN
PARKS, RECREATION AND COMMUNITY SERVICES
REFERRAL MEMORANDUM**

To: Mike Elabarger, Project Manager, Planning Department **(MSC #62)**
From: Brian G. Fuller, Park Planner, Facilities Planning and Development
(MSC #78)
Through: Mark A. Novak, Chief Park Planner, Facilities Planning and Development
CC: Diane Ryburn, Director
Steve Torpy, Assistant Director
Su Webb, Park Board, Chairman
Jim Bonfils, Park Board, Dulles District
Date: December 12, 2007
Subject: ZCPA 2007-0005 Loudoun Valley Estates II
Election District: Dulles **Sub Planning Area:** Ashburn
MCPI #: 123-36-7324, 123-46-9478, 122-26-3229, and 122-46-6311

BACKGROUND:

Loudoun Valley Estates II is a 864-acre planned community (PD-H4) located south of Ryan Road (Route 772) and along the proposed Loudoun County Parkway within the Dulles Election District.

On April 6, 2004, the Board of Supervisors approved ZMAP 2002-0011, Loudoun Valley Estates II and its associated Proffers. Of interest to the Department of Parks, Recreation and Community Services (PRCS), the Proffers state (VI.B.1.2, Broad Run Stream Valley Park and Nature Trail) that the applicant shall dedicate to the County approximately 131 acres along Broad Run, as shown on the Concept Development Plan (Sheet 4, ZMAP 2002-0011) for the Broad Run Stream Valley Park for use as a passive public park on the west side of Broad Run, and for park, recreation and/or other public uses on the east side of the Broad Run, as shown on the Concept Development Plan (Sheet 4). In addition, the Applicant shall construct a wood chip nature trail, within the Broad Run Stream Valley Park. The park land dedication and construction of the trail shall be in sections in conjunction with the subdivision and development of the adjacent land bays.

On May 5, 2007, the Board of Supervisors approved ZMAP 2006-0007 to amend the proved ZMAP 2002-0011 and its Proffers to clarify that a total of three community centers will be provided and that each community center may have up to 16,000 sq. ft. of floor area, and that the community centers will be located in Land Bays 1, 3b and 4.

A-027

PRCS Staff reviewed the application, and offered no objection to its approval. Staff has also reviewed and commented on several of the project Preliminary Plats, including SPBL 2004-0012 (LB 1), SBPL 2004-0017 (LB 2), SBPL 2006-0026 (LB 3A), and SBPL 2006-0067 (LB 3B).

ANALYSIS:

The Application is to amend the approved CDP to be consistent with the revised alignments for Loudoun County Parkway and Creighton Road (CPAP 2005-0074 and CPAP 2006-0004) and the revised floodplain limits (FPST 2002-0015); to amend the configuration of the 10-acre commercial Land Bay 4R; to remove the proffered interparcel road connection to Brambleton; to provide Land Bay 5 with an entrance to Creighton Road; and to request a zoning modification to reduce the rear yard requirement for single-family attached units in R-16 area to 16 feet.

COMMENTS:

With respect to Parks, Recreation and Community Services (PRCS) we offer the following comments and recommendations:

1. Throughout the CDP, please label and delineate the boundary of the future Broad Run Stream Valley Park, proffered as part of ZMAP 2002-0011.
2. Existing Creighton Road is labeled on the CDP "To Be Abandoned." As part of a referral review from the Office of Transportation Services for the abandonment of Creighton Road, PRCS does not support the abandonment, because the existing right-of-way is the only potential access to the proffered Public Use Site.

Furthermore, PRCS and B&D Zoning Staff have been working with the Applicant on providing access to the Public Use Site on the eastern side of the Broad Run Stream Valley Park, proffered as part of ZMAP 2002-0011. PRCS requests that the Applicant provide public vehicular access along the existing Creighton Road right-of-way, from its intersection with future Loudoun County Parkway to the Public Use Site, which will require a crossing over Broad Run.

3. Concerning proposed Proffer VII.E.2, the Applicant is currently coordinating with PRCS on a potential replanting plan within the floodplain and floodplain buffer. PRCS is in receipt of a "Conceptual Compensatory (Wetland) Mitigation Plan" from the Applicant, and will provide the Applicant with separate comments. PRCS requests that the Applicant clarify that the Mitigation Plan, and the Potential Replanting Areas shown on Sheet 7 of the CDP, are the same.

In addition, due to the fact that the floodplain boundary constitutes the limits of the future Broad Run Stream Valley Park, PRCS requests that second sentence of the proffer be revised to reflect the following language:

A-028

"Such ~~floodplain~~ and floodplain buffer replantings may be concentrated, dispersed or evenly distributed at the Applicant's discretion and shall be done in conjunction with the development of adjacent areas. Floodplain plantings within the future County park shall be approved and coordinated through the Department of Parks, Recreation and Community Services."

4. PRCS requests that the Applicant proffer signage within the Broad Run Stream Valley Park. This may include, but not be limited to, entrance signage, interpretive signage, and trail markers. The signage should meet PRCS standards at the time of installation.

CONCLUSION:

PRCS has identified above, several outstanding issues that require more information to complete the review of this Application.

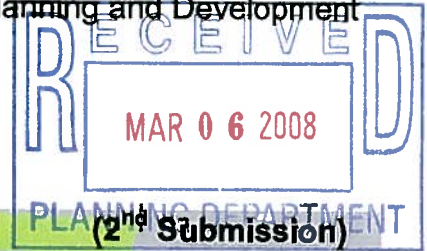
If you have any questions or concerns regarding these comments, please do not hesitate to contact me personally via phone at 571-258-3251, or via e-mail at brian.fuller@loudoun.gov. You may also contact Mark Novak via phone at 703-737-8992, or via e-mail at mark.novak@loudoun.gov. I look forward to attending any meetings or work sessions to offer PRCS support, or to be notified of any further information regarding this project.

A-029



**COUNTY OF LOUDOUN
PARKS, RECREATION AND COMMUNITY SERVICES
REFERRAL MEMORANDUM**

To: Mike Elabarger, Project Manager, Planning Department (MSC #62)
From: ~~1st~~ Brian G. Fuller, Park Planner, Facilities Planning and Development (MSC #78)
Through: ~~1st~~ Mark A. Novak, Chief Park Planner, Facilities Planning and Development
CC: Diane Ryburn, Director
Steve Torpy, Assistant Director
Date: March 3, 2008
Subject: ZCPA 2007-0005 Loudoun Valley Estates II (2nd Submission)
Election District: Dulles **Sub Planning Area:** Ashburn
MCPI #: 123-36-7324, 123-46-9478, 122-26-3229, and 122-46-6311



BACKGROUND:

Loudoun Valley Estates II is a 864-acre planned community (PD-H4) located south of Ryan Road (Route 772) and along the proposed Loudoun County Parkway within the Dulles Election District.

On April 6, 2004, the Board of Supervisors approved ZMAP 2002-0011, Loudoun Valley Estates II and its associated Proffers. Of interest to the Department of Parks, Recreation and Community Services (PRCS), the Proffers state (VI.B.1.2, Broad Run Stream Valley Park and Nature Trail) that the applicant shall dedicate to the County approximately 131 acres along Broad Run, as shown on the Concept Development Plan (Sheet 4, ZMAP 2002-0011) for the Broad Run Stream Valley Park for use as a passive public park on the west side of Broad Run, and for park, recreation and/or other public uses on the east side of the Broad Run, as shown on the Concept Development Plan (Sheet 4). In addition, the Applicant shall construct a wood chip nature trail, within the Broad Run Stream Valley Park. The park land dedication and construction of the trail shall be in sections in conjunction with the subdivision and development of the adjacent land bays.

On May 5, 2007, the Board of Supervisors approved ZMAP 2006-0007 to amend the proved ZMAP 2002-0011 and its Proffers to clarify that a total of three community centers will be provided and that each community center may have up to 16,000 sq. ft. of floor area, and that the community centers will be located in Land Bays 1, 3b and 4. PRCS Staff reviewed the application, and offered no objection to its approval. Staff has also reviewed and commented on several of the project Preliminary Plats, including SPBL 2004-0012 (LB 1), SBPL 2004-0017 (LB 2), SBPL 2006-0026 (LB 3A), and SBPL 2006-0067 (LB 3B).

A - 030

ANALYSIS:

The Application is to amend the approved CDP to be consistent with the revised alignments for Loudoun County Parkway and Creighton Road (CPAP 2005-0074 and CPAP 2006-0004) and the revised floodplain limits (FPST 2002-0015); to amend the configuration of the 10-acre commercial Land Bay 4R; to remove the proffered interparcel road connection to Brambleton; to provide Land Bay 5 with an entrance to Creighton Road; and to request a zoning modification to reduce the rear yard requirement for single-family attached units in R-16 area to 16 feet.

COMMENTS:

The Department of Parks, Recreation and Community Services (PRCS) has reviewed the Applicant's responses dated February 19, 2008 to referral comments dated December 12, 2007, the revised proffer statement dated February 19, 2008, and the revised Zoning Concept Plan Amendment (ZCPA) Plat dated February 14, 2008. The following is a summary of the current status of comments identified by the Department of Parks, Recreation and Community Services (PRCS), dated December 12, 2007:

1. Throughout the CDP, please label and delineate the boundary of the future Broad Run Stream Valley Park, proffered as part of ZMAP 2002-0011.

Applicant Response: *The CDP has been revised to identity the limits of the Stream Valley Park, as requested.*

Issue Status: Unresolved. Please label and delineate the proffered park.

2. Existing Creighton Road is labeled on the CDP "To Be Abandoned." As part of a referral review from the Office of Transportation Services for the abandonment of Creighton Road, PRCS commented that Creighton Road east of future Loudoun County Parkway needs to be considered for potential access to the Public Use Site. Therefore, PRCS does not support the abandonment.

Furthermore, PRCS and B&D Zoning Staff have been working with the Applicant on providing access to the Public Use Site on the eastern side of the Broad Run Stream Valley Park, proffered as part of ZMAP 2002-0011. PRCS requests that the Applicant provide public vehicular access along the existing Creighton Road right-of-way, from its intersection with future Loudoun County Parkway to the Public Use Site, which will require a crossing over Broad Run.

Applicant Response: *The portion of Creighton Road marked as "Relocated" on the CDP is located on the west side of the Loudoun County Parkway is for a new segment of Creighton Road that will align with the intersection of Loudoun County Parkway and Evergreen Ridge Drive (the "to be abandoned" label has been removed). The Application does not impact any potential access to the Stream Valley Park.*

A-031

The Applicant has constructed a bridge crossing over Broad Run to access the 112-acre Loudoun County School Board property (PIN: 122-28-7422), the site of the new Rosa Lee Carter Elementary School, which is adjacent to the Broad Run Stream Valley Park. It is suggested that the southern portion of Broad Run Stream Valley Park located to the east of Broad Run may be accessed from Route 606 by way of existing access easements/rights-of-way over adjacent properties.

Issue Status: PRCS appreciates the Applicant's desire to not abandon Creighton Road and access to the future park on the western side of Broad Run. However, PRCS is still concerned about providing vehicular access to the eastern portion of the future park, specifically the 30-acre Public Use site. Staff acknowledges ZCOR 2007-0244, which determined that the developer of Dulles Trade Center II is responsible for the construction of an interparcel access from Pebble Run Place or Overland Drive to the park.

In addition, PRCS desires to connect both passive portions of the Broad Run Stream Valley Park, and respectfully requests that the Applicant provide a pedestrian foot bridge across Broad Run, as a part of the previously proffered 4' wood chip trail system throughout the park. This footbridge would be field located by PRCS Staff at the time of construction.

3. Concerning proposed Proffer VII.E.2, the Applicant is currently coordinating with PRCS on a potential replanting plan within the floodplain and floodplain buffer. PRCS is in receipt of a "Conceptual Compensatory (Wetland) Mitigation Plan" from the Applicant, and will provide the Applicant with separate comments. PRCS requests that the Applicant clarify that the Mitigation Plan, and the Potential Replanting Areas shown on Sheet 7 of the CDP, are the same.

In addition, due to the fact that the floodplain boundary constitutes the limits of the future Broad Run Stream Valley Park, PRCS requests that second sentence of the proffer be revised to reflect the following language:

"Such ~~floodplain~~ and floodplain buffer replantings may be concentrated, dispersed or evenly distributed at the Applicant's discretion and shall be done in conjunction with the development of adjacent areas. Floodplain plantings within the future County park shall be approved and coordinated through the Department of Parks, Recreation and Community Services."

Applicant Response: *The proposed Mitigation Plan overlaps portions of the Potential Replanting Areas shown on Sheet 7 of the CDP, but they are not the same areas. Both the approved and proposed Proffer VII.E.2 give the Applicant the discretion to have plantings "concentrated, dispersed or evenly distributed" within the floodplain and 50-foot management buffer portions of the Potential Replanting Areas. Depending on their location, plantings required as part of the Mitigation Plan may or may not satisfy the replanting commitment contained in Proffer VII.E.2.*

A-032

The limits of the floodplain do not always coincide with the boundaries of the proffered Broad Run Stream Valley Park, so we are not able to modify the first sentence as suggested above. The proffers and CDP approved with ZMAP 2002-0011 are clear that the Potential Replanting Areas are all located outside the limits of the Broad Run Stream Valley Park. Therefore, the suggested last sentence above is not appropriate as the approved proffers did not commit to any plantings within the Park area.

Issue Status: Staff held a meeting with the Applicant on February 26, 2008 to discuss revisions to the "Conceptual Compensatory Mitigation Plan" in which the Applicant stated that it was their intent to fulfill and exceed this proffer requirement with the proposed mitigation plan. Staff has requested that the proposed mitigation and proposed proffered replanting areas be delineated on the Mitigation Plan and this ZCPA Plan. Additionally, in conjunction with Comment 1, the boundary of the future Broad Run Stream Valley Park needs to be labeled and clearly delineated on both plans.

Furthermore, while the Applicant may not be willing to change the proffer language as previously requested above, PRCS requires to be respectfully notified in writing prior to any disturbance (i.e., tree planting, etc.) on land that is to be dedicated to the County for purposes of public parks, active recreation, or passive open space.

4. PRCS requests that the Applicant proffer signage within the Broad Run Stream Valley Park. This may include, but not be limited to, entrance signage, interpretive signage, and trail markers. The signage should meet PRCS standards at the time of installation.

Applicant Response: *The Applicant is willing to consider some means of assisting PRCS with its signage request. We respectfully request information with respect to the number, size and material of the contemplated signs.*

Issue Status: Staff is currently developing sign standards for PRCS facilities. Further information could be provided at the time of installation.

CONCLUSION:

PRCS has identified above, outstanding issues that require more information to complete the review of this Application.

If you have any questions or concerns regarding these comments, please do not hesitate to contact me personally via phone at 571-258-3251, or via e-mail at brian.fuller@loudoun.gov. You may also contact Mark Novak via phone at 703-737-8992, or via e-mail at mark.novak@loudoun.gov. I look forward to attending any meetings or work sessions to offer PRCS support, or to be notified of any further information regarding this project.

A-033



**COUNTY OF LOUDOUN
PARKS, RECREATION AND COMMUNITY SERVICES
REFERRAL MEMORANDUM**

To: Mike Elabarger, Project Manager, Planning Department (MSC #62)
From: Brian G. Fuller, Park Planner, Facilities Planning and Development (MSC #78)
Through: Mark A. Novak, Chief Park Planner, Facilities Planning and Development
CC: Diane Ryburn, Director
Steve Torpy, Assistant Director
Su Webb, Park Board, Chairman
Steve Hines, Park Board, Dulles District
Date: May 22, 2008
Subject: ZCPA 2007-0005 Loudoun Valley Estates II (3rd Submission)
Election District: Dulles **Sub Planning Area:** Ashburn
MCPI #: 123-36-7324, 123-46-9478, 122-26-3229, and 122-46-6311

BACKGROUND:

Loudoun Valley Estates II is a 864-acre planned community (PD-H4) located south of Ryan Road (Route 772) and along the proposed Loudoun County Parkway within the Dulles Election District.

On April 6, 2004, the Board of Supervisors approved ZMAP 2002-0011, Loudoun Valley Estates II and its associated Proffers. Of interest to the Department of Parks, Recreation and Community Services (PRCS), the Proffers state (VI.B.1.2, Broad Run Stream Valley Park and Nature Trail) that the applicant shall dedicate to the County approximately 131 acres along Broad Run, as shown on the Concept Development Plan (Sheet 4, ZMAP 2002-0011) for the Broad Run Stream Valley Park for use as a passive public park on the west side of Broad Run, and for park, recreation and/or other public uses on the east side of the Broad Run, as shown on the Concept Development Plan (Sheet 4). In addition, the Applicant shall construct a wood chip nature trail, within the Broad Run Stream Valley Park. The park land dedication and construction of the trail shall be in sections in conjunction with the subdivision and development of the adjacent land bays.

On May 5, 2007, the Board of Supervisors approved ZMAP 2006-0007 to amend the proved ZMAP 2002-0011 and its Proffers to clarify that a total of three community centers will be provided and that each community center may have up to 16,000 sq. ft.

A-034

of floor area, and that the community centers will be located in Land Bays 1, 3b and 4. PRCS Staff reviewed the application, and offered no objection to its approval. Staff has also reviewed and commented on several of the project Preliminary Plats, including SPBL 2004-0012 (LB 1), SBPL 2004-0017 (LB 2), SBPL 2006-0026 (LB 3A), and SBPL 2006-0067 (LB 3B).

ANALYSIS:

The Application is to amend the approved CDP to be consistent with the revised alignments for Loudoun County Parkway and Creighton Road (CPAP 2005-0074 and CPAP 2006-0004) and the revised floodplain limits (FPST 2002-0015); to amend the configuration of the 10-acre commercial Land Bay 4R; to remove the proffered interparcel road connection to Brambleton; to provide Land Bay 5 with an entrance to Creighton Road; and to request a zoning modification to reduce the rear yard requirement for single-family attached units in R-16 area to 16 feet.

COMMENTS:

The Department of Parks, Recreation and Community Services (PRCS) has reviewed the Applicant's responses dated February 19, 2008 to referral comments dated December 12, 2007, the revised proffer statement dated February 19, 2008, and the revised Zoning Concept Plan Amendment (ZCPA) Plat dated February 14, 2008. The following is a summary of the current status of comments identified by the Department of Parks, Recreation and Community Services (PRCS), dated December 12, 2007:

1. Throughout the CDP, please label and delineate the boundary of the future Broad Run Stream Valley Park, proffered as part of ZMAP 2002-0011.

Applicant Response: *The CDP has been revised to identity the limits of the Stream Valley Park, as requested.*

Issue Status: Unresolved. Please label and delineate the proffered park.

Applicant Response: *The CDP has been revised to clarify the limits of the Stream Valley Park*

Issue Status: Resolved.

2. Existing Creighton Road is labeled on the CDP "To Be Abandoned." As part of a referral review from the Office of Transportation Services for the abandonment of Creighton Road, PRCS commented that Creighton Road east of future Loudoun

A-035

County Parkway needs to be considered for potential access to the Public Use Site. Therefore, PRCS does not support the abandonment.

Furthermore, PRCS and B&D Zoning Staff have been working with the Applicant on providing access to the Public Use Site on the eastern side of the Broad Run Stream Valley Park, proffered as part of ZMAP 2002-0011. PRCS requests that the Applicant provide public vehicular access along the existing Creighton Road right-of-way, from its intersection with future Loudoun County Parkway to the Public Use Site, which will require a crossing over Broad Run.

Applicant Response: The portion of Creighton Road marked as "Relocated" on the CDP is located on the west side of the Loudoun County Parkway is for a new segment of Creighton Road that will align with the intersection of Loudoun County Parkway and Evergreen Ridge Drive (the "to be abandoned" label has been removed). The Application does not impact any potential access to the Stream Valley Park.

The Applicant has constructed a bridge crossing over Broad Run to access the 112-acre Loudoun County School Board property (PIN: 122-28-7422), the site of the new Rosa Lee Carter Elementary School, which is adjacent to the Broad Run Stream Valley Park. It is suggested that the southern portion of Broad Run Stream Valley Park located to the east of Broad Run may be accessed from Route 606 by way of existing access easements/rights-of-way over adjacent properties.

Issue Status: PRCS appreciates the Applicant's desire to not abandon Creighton Road and access to the future park on the western side of Broad Run. However, PRCS is still concerned about providing vehicular access to the eastern portion of the future park, specifically the 30-acre Public Use site. Staff acknowledges ZCOR 2007-0244, which determined that the developer of Dulles Trade Center II is responsible for the construction of an interparcel access from Pebble Run Place or Overland Drive to the park.

In addition, PRCS desires to connect both passive portions of the Broad Run Stream Valley Park, and respectfully requests that the Applicant provide a pedestrian foot bridge across Broad Run, as a part of the previously proffered 4' wood chip trail system throughout the park. This footbridge would be field located by PRCS Staff at the time of construction.

Applicant Response: As an alternative to the suggested pedestrian footbridge, which would be problematic given the extensive wetlands in the southern portion of the Stream Valley Park, the Applicant is willing to dedicate to the County the 4-acre parcel it owns on the east side of Broad Run (identified on the CDP as PIN: 123-47-8380) as a continuation of the Stream Valley Park. The parcel is located immediately south of the Loudoun Reserve Drive bridge constructed by

A-036

the applicant. The addition of this parcel to the Stream Valley Park would facilitate access to the portions of the park located on the east side of Broad Run. If this solution is accepted by Parks and Recreation, we will add this parcel dedication to the proffer statement.

Issue Status: PRCS appreciates the Applicant's generous offer of an additional 4-acre parcel to provide a contiguous access to the Loudoun Reserve Drive bridge on the east side of Broad Run. PRCS requests that this parcel dedication be added to the proffer statement, as well as delineated and labeled on the CDP.

However, as previously noted above, PRCS commented as part of the referral review from the Office of Transportation Services that Creighton Road east of future Loudoun County Parkway needs to remain for future access to the western portion of the Stream Valley Park. PRCS does not support the abandonment of the public ROW east of future Loudoun County Parkway.

PRCS requests that the Applicant, at a minimum, proffer the current Creighton Road ROW as a public access easement east of Loudoun County Parkway to allow for future public vehicular access to a trailhead along the western portion of the Stream Valley Park.

3. Concerning proposed Proffer VII.E.2, the Applicant is currently coordinating with PRCS on a potential replanting plan within the floodplain and floodplain buffer. PRCS is in receipt of a "Conceptual Compensatory (Wetland) Mitigation Plan" from the Applicant, and will provide the Applicant with separate comments. PRCS requests that the Applicant clarify that the Mitigation Plan, and the Potential Replanting Areas shown on Sheet 7 of the CDP, are the same.

In addition, due to the fact that the floodplain boundary constitutes the limits of the future Broad Run Stream Valley Park, PRCS requests that second sentence of the proffer be revised to reflect the following language:

"Such ~~floodplain and floodplain~~ buffer replantings may be concentrated, dispersed or evenly distributed at the Applicant's discretion and shall be done in conjunction with the development of adjacent areas. Floodplain plantings within the future County park shall be approved and coordinated through the Department of Parks, Recreation and Community Services."

Applicant Response: *The proposed Mitigation Plan overlaps portions of the Potential Replanting Areas shown on Sheet 7 of the CDP, but they are not the same areas. Both the approved and proposed Proffer VII.E.2 give the Applicant the discretion to have plantings "concentrated, dispersed or evenly distributed"*

A-037

within the floodplain and 50-foot management buffer portions of the Potential Replanting Areas. Depending on their location, plantings required as part of the Mitigation Plan may or may not satisfy the replanting commitment contained in Proffer VII.E.2.

The limits of the floodplain do not always coincide with the boundaries of the proffered Broad Run Stream Valley Park, so we are not able to modify the first sentence as suggested above. The proffers and CDP approved with ZMAP 2002-0011 are clear that the Potential Replanting Areas are all located outside the limits of the Broad Run Stream Valley Park. Therefore, the suggested last sentence above is not appropriate as the approved proffers did not commit to any plantings within the Park area.

Issue Status: Staff held a meeting with the Applicant on February 26, 2008 to discuss revisions to the "Conceptual Compensatory Mitigation Plan" in which the Applicant stated that it was their intent to fulfill and exceed this proffer requirement with the proposed mitigation plan. Staff has requested that the proposed mitigation and proposed proffered replanting areas be delineated on the Mitigation Plan and this ZCPA Plan. Additionally, in conjunction with Comment 1, the boundary of the future Broad Run Stream Valley Park needs to be labeled and clearly delineated on both plans.

Furthermore, while the Applicant may not be willing to change the proffer language as previously requested above, PRCS requires to be respectfully notified in writing prior to any disturbance (i.e., tree planting, etc.) on land that is to be dedicated to the County for purposes of public parks, active recreation, or passive open space.

Applicant Response: *As discussed with staff at our meeting on April 14th, the Mitigation Plan will provide plantings within the Stream Valley Park that are in addition to the plantings proffered in Proffer VII.E.2 to be located within the Property. The Applicant has revised Proffer VII.E.2 to allow for the previously proffered plantings to be placed within the Stream Valley Park adjacent to Broad Run at the option of the County.*

Issue Status: PRCS acknowledges the revisions to Draft Proffers VII.E.2 and VII.H and the addition of Draft Proffer VII.E.3. The project includes reforestation of the open floodplain adjacent to Broad Run within the future, proffered Stream Valley Park. PRCS, in conjunction with ERT, believes that the project will be extremely beneficial to Broad Run and that the reforestation will offset the impacts of the landbay encroachments into the 50-foot buffer proposed with this application. Staff still recommends that the reforestation commitment include language stating that all plantings within the Stream Valley Park shall be approved and coordinated through PRCS.

A-038

4. PRCS requests that the Applicant proffer signage within the Broad Run Stream Valley Park. This may include, but not be limited to, entrance signage, interpretive signage, and trail markers. The signage should meet PRCS standards at the time of installation.

Applicant Response: *The Applicant is willing to consider some means of assisting PRCS with its signage request. We respectfully request information with respect to the number, size and material of the contemplated signs.*

Issue Status: Staff is currently developing sign standards for PRCS facilities. Further information could be provided at the time of installation.

Applicant Response: *The Applicant has added a new proffer, VI.B.3, that provides for a \$5,000 contribution to the County for Stream Valley Park signage.*

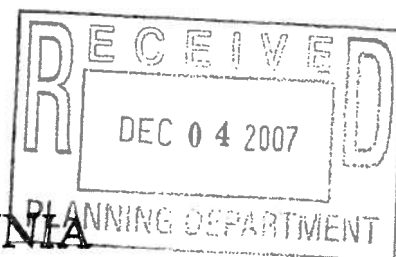
Issue Status: Resolved. PRCS appreciates the Applicant's generous contribution toward future park signage.

CONCLUSION:

PRCS has identified above, an outstanding issue as a part of Comment 2 that requires further clarification prior to PRCS support for application approval.

If you have any questions or concerns regarding these comments, please do not hesitate to contact me personally via phone at 571-258-3251, or via e-mail at brian.fuller@loudoun.gov. You may also contact Mark Novak via phone at 703-737-8992, or via e-mail at mark.novak@loudoun.gov. I look forward to attending any meetings or work sessions to offer PRCS support, or to be notified of any further information regarding this project.

A-039



COMMONWEALTH of VIRGINIA

DAVID S. EKERN, P.E.
COMMISSIONER

DEPARTMENT OF TRANSPORTATION

14685 Avion Parkway
Chantilly, VA 20151
(703) 383-VDOT (8368)

November 28, 2007

Mr. Mike Elabarger, Project Manager
County of Loudoun
Department of Planning MSC#62
1 Harrison Street, S.E.
P.O. Box 7000
Leesburg, Virginia 20177-7000

Re: Loudoun Valley Estates II
Loudoun County Application Number: ZCPA 2007-0005

Dear Mr. Elabarger:

We have reviewed the above application as requested and offer the following comments:

1. The applicant is informed that the plat submitted reflects only a conceptual layout of the development without any engineering details. Accordingly if a public street network is proposed then no specific design details (alignment/curve data, typical section, etc) is provided so that we can offer a meaningful review. We suggest that at this time the proposed road network be engineered per applicable VDOT design standards to avoid major revisions in future. (Design details need not be shown on the rezoning plat at this time.) At a minimum the following should be considered:

- The design of all public roads should be per latest edition of VDOT *Road Design Manual* and other applicable design standards.
- All private streets/entrances should conform to latest edition of VDOT *Minimum Standards of Entrances to State Highways*.
- Meandering road alignments with reverse curves, short curves and broken back tangents are not desirable and should be avoided.
- Length of vertical and horizontal curves should be three (3) and fifteen (or minimum 200') times the design speed respectively.

Mr. Mike Elabarger, Project Manager

November 28, 2007

Page Two

- All intersections should be at ninety-degree angle.
- The landscaping proposed along public roads should provide adequate sight distance at every intersection.
- Sidewalk, trail and curb-ramps proposed within the right-of-way should conform to the applicable requirements of VDOT standards.
- As stated above the information provided in this application is purely conceptual and subject to revision. We will review this plan in detail when preliminary/ or construction plans are submitted in future for approval. We also reserve the right to recommend revision, which may be major in some cases, if design is found unacceptable and not conforming to the applicable VDOT standards.

2. The Loudoun County *Countywide Transportation Plan* (CTP - last revised 7/23/01) has long recommended that the ultimate typical section of existing Route 659 be a six-lane (U6M) section on 120' right of way, plus additional right of way for turn lanes and bicycle accommodations (see page A1-29). This recommendation was modified by the 10/20/03 adoption of the *Bicycle and Pedestrian Mobility Master Plan*, which calls for 150' right of way to accommodate bicycle facilities (see page 34). Loudoun County should advise the applicant accordingly.

If you have any questions, please call me at (703) 383-2046.

Sincerely,



Rashid Siraj, P.E.
Transportation Engineer

(Com.11-28-07)

A-041



COMMONWEALTH of VIRGINIA

DAVID S. EKERN, P.E.
COMMISSIONER

DEPARTMENT OF TRANSPORTATION

14685 Avion Parkway
Chantilly, VA 20151
(703) 383-VDOT (8368)

March 20, 2008

Mr. Mike Elabarger, Project Manager
County of Loudoun
Department of Planning MSC#62
1 Harrison Street, S.E.
P.O. Box 7000
Leesburg, Virginia 20177-7000

Re: Loudoun Valley Estates II
Loudoun County Application Number: ZCPA 2007-0005

Dear Mr. Elabarger:

We have reviewed the above application as requested and have no objection to the approval.

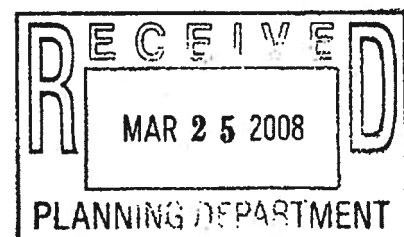
If you have any questions, please call me at (703) 383-2046.

Sincerely,

A handwritten signature in black ink, appearing to read "Rashid Siraj".

Rashid Siraj, P.E.
Transportation Engineer

(App.03-20-08)



A-042



Loudoun County, Virginia
Department of Fire, Rescue and Emergency Management

803 Sycolin Road, Suite 104 Leesburg, VA 20175
Phone 703-777-0333 Fax 703-771-5359



Memorandum

To: Mike Elabarger, Project Manager
From: Maria Figueroa Taylor, Fire-Rescue Planner
Date: December 11, 2007
Subject: Loudoun Valley Estates
ZCPA 2007-0005

Thank you for the opportunity to review the above-captioned application. The Fire and Rescue Planning Staff has no comments.

If you have any questions or need additional information, please contact me at 703-777-0333.

C: Project file



880 Harrison Street, SE • P.O. Box 4000 • Leesburg, Virginia 20177-1403 • www.lcsa.org

December 21, 2007

Mr. Mike Elabarger
Department of Planning
1 Harrison Street, S.E.
P. O. Box 7000
Leesburg, Virginia 20177-7000

Re: ZCPA-2007-0005, Loudoun Valley Estates II

Dear Mr. Elabarger:

The Sanitation Authority has reviewed the referenced Zoning Concept Plan Amendment and offers no objection to its approval. Public water and sanitary sewer service would be contingent upon the developer's compliance with the Authority's Statement of Policy; Rates, Rules and Regulations; and Design Standards.

Should you have any questions, please do not hesitate to contact me by phone at 571-291-7938, or email, dominic.powers@lcsa.org.

Sincerely,

A handwritten signature in black ink that reads "Dominic Powers". The signature is fluid and cursive, with the first name and last name clearly distinguishable.

Dominic Powers, EIT
Civil Engineer



A-044

Dale C. Hammes, P.E.
General Manager/Treasurer

Richard C. Thoesen, P.E.
Deputy General Manager

MEMORANDUM

TO: Mike Elabarger, Department of Planning (#62)

FROM: Larr Kelly, Zoning Division, Department of Building and Development (#60)

DATE: June 2, 2008

RE: ZCPA 2007-0005: Loudoun Valley Estates II

As requested, I have reviewed the draft proffers, dated May 2, 2008, for the above referenced Zoning Concept Plan Amendment application. Pursuant to this review, I offer the following comments:

1. In regard to the preamble, in the second line thereof, I suggest that the phrase "Loudoun County Zoning Ordinance (1993)" be changed to "Revised 1993 Loudoun County Zoning Ordinance."
2. In regard to proffer VI.B., in the last line thereof, I suggest that the phrase " , ZCPA 2007-0005" be added to the end of the proffer.
3. In regard to proffer VII.E.2., in the tenth line thereof, I suggest that the word "done" be changed to "planted".
4. In regard to proffer VII.E.3., concerning the option to replant denuded areas adjacent to Broad Run, in lieu of replanting the Potential Replanting Areas, I note that the applicant says that this will be done at the option of the County "at the time of site plan review". However, it is not clear how this is intended to operate, as site plans are likely to be outside of the Potential Replanting Areas and outside of the areas adjacent to the Broad Run. It is not clear if this is intended to refer to each site plan application, or the first site plan application, or some other timing mechanism. I suggest that this provision be clarified.
5. In regard to proffer VII.H., concerning "the 50-foot management buffer areas", I suggest that the purpose of the management buffer be clearly stated. There is nothing in this proffer which indicates the purpose of the buffer areas or what the areas are being managed to accomplish.
6. In further regard to proffer VII.H., in the first line thereof, I suggest that the phrase "may contain all" be changed to "shall be limited to the ".
7. In further regard to proffer VII.H., in the second line thereof, I note that the applicant is referencing the uses identified in the Revised General Plan's policies for Natural Resource Areas. I suggest that the list of specific uses be spelled out in full and that the phrase "such as, but not limited to" be deleted.

A-044.1

8. In further regard to proffer VII.H., in the third line thereof, the applicant refers to a number of uses that are specified in the Revised General Plan as acceptable uses within the management buffer. However, I note that the Revised General Plan also has certain conditions specified for when such uses are acceptable, such as utilities, road crossing, bridges should only be allowed if "the environmental objectives of RSCOD can be maintained or enhanced". I suggest that this limitation also be made applicable in regard to the proposed uses. Similarly, paths and trails should be of a permeable nature. Additionally, active recreation uses are not listed as a use within the management buffer itself, only "on the rivers and streams" themselves. I suggest that this use be removed from the list.
9. In further regard to proffer VII.H., in the fifth and sixth lines thereof, I note that the applicant again references the Revised General Plan by citing that the Revised General Plan calls for the 50-foot management buffer to be "flexible" and thus would allow for the reduction of the 50-foot management buffer to 25 feet in width. However, the Revised General Plan's policy is actually to allow for reduction of the 50-foot management buffer "if it can be shown that a reduction does not adversely impact other RSCOD elements". The Revised General Plan also specifies that "wetlands, riparian forests and historic and archaeological sites within RSCOD" will be protected, yet the applicant's proposed language does not assure that the proposed reductions to 25 feet will have no adverse impacts on other RSCOD elements, specifically including wetlands, riparian forests and historic or archaeological sites. I suggest that language be included to specifically ensure the protection of these elements.
10. In regard to proffer VII.I., in the first two lines thereof, I suggest that the phrase "impacts on the Property determined to be unavoidable in conjunction with the permitting process and are not included as part" be changed to "impacts on the Property caused by Owner's development of the Property, which cannot be avoided and which were not included as part". Additionally, in the third line, I suggest that the phrase "(ZCPA 2007-0005)" be inserted following the phrase "this Application".
11. In regard to proffer VIII.D., in the second line thereof, there is a reference to "the Phase I archaeological report done for this area", which suggests that the Phase I study has been conducted and completed. I urge staff to determine whether this Phase I study recommended a Phase II study or not. If it did, I question whether the Phase II study has been done. Knowing the results of the Phase I study would help to understand the need being addressed by this proffer.
12. In further regard to proffer VIII.D., in the fourth line thereof, I note that the timing mechanism proposed for delineating archaeological site 44LD782 is "prior to the issuance of grading permits". It is not clear if this is intended to mean the first grading permit, or each grading permit or something else. I suggest that this be clarified.
13. In further regard to proffer VIII.D., in the seventh line thereof, I suggest that the phrase "such intrusion shall be minimized and" be inserted following the phrase "in the event development of Land Bay 3a intrudes into the site".
14. These proffers will need to be signed by all landowners, and be notarized, prior to the public hearing on this application before the Board of Supervisors.

A-044.2